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April 26, 2013

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BY FEDERAL EXPRESS

Hon. James C. Turk
United States District Court for the
Western District of Virginia
246 Franklin Road S.W., Room 220
Roanoke, Virginia 24011-2214

Re: *De'lonta v. Johnson*, No. 11-cv-00257

Dear Judge Turk:

This firm represents plaintiff Ophelia De'lonta in the above-mentioned case. We write on behalf of all parties.

Following the conference before Your Honor on April 18, the parties conferred three times, in person and telephonically, regarding evaluation of Ms. De'lonta for eligibility and readiness for sex reassignment surgery and related scheduling matters. Defendants state their position to be that Ms. De'lonta does not meet the criteria for such evaluation at this time. Therefore, plaintiff will move this Court for a preliminary injunction requiring defendants to have Ms. De'lonta evaluated and to make Ms. De'lonta available for evaluation by her own expert(s).

The parties have agreed to the following schedule for preliminary injunction proceedings, and respectfully request that this Court enter an order adopting the parties' agreed schedule.

- Plaintiff will file her amended complaint no later than May 3, 2013.
- The parties will complete discovery limited to the issues to be raised in plaintiff's motion for a preliminary injunction no later than June 21, 2013.
- Plaintiff will file her motion for a preliminary injunction no later than June 28, 2013.
- Defendants will file their opposition brief no later than 21 days after plaintiff files her motion for a preliminary injunction.
- Plaintiff will file her reply brief no later than 14 days after defendants file their opposition brief.

The parties request a hearing on plaintiff's motion. All parties are available for a conference at any time convenient for the Court during the weeks of August 5 and August 12, 2013.

WILMERHALE

Hon. James C. Turk
April 26, 2013
Page 2

The parties have agreed to work in good faith to respond quickly to discovery requests and to make witnesses promptly available for deposition in order to meet this schedule. The parties nonetheless reserve their rights to seek assistance from this Court, including relief from the proposed schedule, in the event that any disputes arise.

Finally, the parties have agreed that defendants' deadline for answering plaintiff's complaint should be stayed pending the filing of plaintiff's amended complaint.

All parties are, of course, available at the Court's convenience to discuss this or any other matters. A proposed order memorializing the parties' agree schedule is enclosed for this Court's convenience.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Alan E. Schoenfeld', with a long horizontal flourish extending to the right.

Alan E. Schoenfeld

cc: J. Michael Parsons, Esq.